GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – M.A. & U.D. Department – Allegations of irregularities committed in collection of market fee, shopping complex rents and mis-utilization of PF funds in Eluru Municipal Corporation - Disciplinary action initiated against Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation under Rule 9 of A.P.Revised Pension Rules, read with Rule 20 of A.P.C.S. (CC&A) Rules, 1991 – Imposition of penalty of 2% cut in pension for a period of two (2) years - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.MS.No. 17 **Dated: 07-01-2019**

Read the following:-

1. From the General Administration (V&E) Department, Vigilance Report No.94 (1506/V&E/D1/2010), dated 22.12.2011.
2. G.O.Rt.No.689, M.A. & U.D.(E1) Department, dated 17.05.2012.
3. From Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation, written statement of defence, dated 17.12.2012.
4. G.O.Rt.No.851, MA&UD (Vig.III) Dept., dated 03.11.2014.
5. G.O.Rt.No.852, MA&UD (Vig.III) Dept., dated 03.11.2014.
6. From Sri R. Sambasiva Rao, Additional Mission Director & Enquiry Officer, MEPMA, A.P., Guntur, Lr.Roc. No.07/ AMD/2013, dated: 02.06.2017.
7. Govt. Memo.No.2890/Vig.I/2012, dated 28.11.2017 of M.A. & U.D. (Vig.I) Department.
8. From Sri K.Pothu Raju, the then Revenue Officer (Retd.), Euru Municipal Corporation, written representation dated 13.12.2017.
9. Govt. Memo. No.2890/Vig.I(2)/2012, dated 12.09.2018 of M.A. & U.D. (Vig.I) Department.
10. From Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation, written representation, dated 01.10.2018.
11. Govt. Letter No.2890/Vig.I(2)/2012, dated 20.11.2018 of M.A. & U.D.(Vig.I) Department.
12. From the Secretary, A.P.Public Service Commission, letter No.840/DC&C/2018, dated 20.12.2018.

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O R D E R:

Whereas, it has been brought to the notice of the Government by the General Administration (V&E) Department that, certain irregularities were committed by Sri K.Pothu Raju, the then Revenue Officer and (12) others of Eluru Municipal Corporation in collection of market fee, shopping complex rents and misutilization of PF funds in Eluru Municipal Corporation and recommended to initiate stringent disciplinary against the said official, vide reference 1st read above. Accordingly, Government have initiated departmental proceedings against Sri K.Pothu Raju, the then Revenue Officer, Eluru Municipal Corporation, by issuing Articles of Charges against him, vide G.O. 2nd read above.

2. In the reference 3rd read above, the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.) has submitted his written statement of defence, denying the charges framed against him and requested to drop further action against him.

3. The written statement of defence of charged officer is not convincing, in the G.Os. 4th and 5th read above, orders were issued, appointing Sri R. Sambasiva Rao, Additional Mission Director, MEPMA, A.P., Hyderabad and the Municipal Commissioner, Eluru Municipal Corporation as Enquiry Officer and Presenting Officer respectively, to enquire into charges framed against the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.) and (12) others of Eluru Municipal Corporation.

(P.T.O.)

4. In the reference 6th read above, Sri R. Sambasiva Rao, Additional Mission Director & Enquiry Officer, MEPMA, A.P., Guntur has submitted his Enquiry Report, stating that, out of five (5) charges, Charge Nos.1, 2 and 5 held proved in the enquiry against Sri K.Pothu Raju, the then Revenue Officer (Retd.) of Eluru Municipal Corporation.

5. In the reference 7th read above, while communicating a copy of Enquiry Report under Rule 21(2) of A.P.C.S. (CC&A) Rules, 1991, the Charged Officer Sri K.Pothu Raju, the then Revenue Officer (Retd.) was directed to submit his written representation if any, on the findings of Enquiry Officer.

6. In the reference 8th read above, the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.) of Eluru Municipal Corporation has stated among other things and requested to drop further action against him.

7. The written representation of the charged officer has been examined in detail and it is observed that the charged officer has not put-forth any new grounds. In the reference 9th read above, a Show Cause Notice has been issued to the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.) of Eluru Municipal Corporation under Rule 9 of A.P.Revised Pension Rules, 1980, to show cause as to why a penalty of 2% cut in pension for a period of two (2) years shall not be imposed against him and directed him to submit his written representation if any, on the proposed punishment.

8. In the reference 10th read above, the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation in his written representation has stated that, after his retirement, he was affected by severe paralysis stroke on 26.09.2013 and from September, 2013, he was affected by the Paralysis stroke for five (5) times. His arms, legs and mouth were affected by the stroke. He is bed ridden and unable to walk and even to speak properly. He is completely depending on his pension for his treatment and other domestic expenses. He has therefore, requested to drop the proposed punishment of 2% cut in pension for a period of two (2) years on him

9. As no new grounds put-forth by the charged officer in his written representation, it has been provisionally decided to impose a penalty of 2% cut in pension for a period of two (2) years against the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation and in the reference 11th read above, the Secretary, A.P.Public Service Commission was requested to convey the concurrence of the Commission on the Government's Proposal.

10. In the reference 12th read above, the Secretary, A.P.Public Service Commission has informed that the Commission agreed with the proposal of the Government, to impose a penalty of 2% cut in pension for a period of two (2) years against the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation.

11. Government have examined the entire matter carefully and decided to impose a penalty of 2% cut in pension for a period of two (2) years against the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation. Accordingly, Government hereby order to impose a penalty of 2% cut in pension for a period of two (2) years against the charged officer Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation, as the Charge Nos.1, 2 and 5 were held proved in the enquiry.

Contnd..3.

12. The Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter, accordingly.

13. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Pothu Raju, the then Revenue Officer (Retd.), Eluru Municipal Corporation.
through the Director of Municipal Administration, A.P., Guntur.
The Director of Municipal Administration, A.P., Guntur.
Copy to:
The Secretary, A.P.Public Service Commission.
The Principal Accountant General (A&E), A.P., Hyderabad.
The G.A.(V&E) Department, A.P., Vijayawada.
The Municipal Commissioner, Eluru Municipal Corporation.
The Secretary to A.P. Vigilance Commission, 5th Building, A.P. Secretariat.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER